

REMARKS

In accordance with the foregoing, claims 1 and 2 are amended and claim 21 is canceled without prejudice or disclaimer. Claims 1 – 2 and 4 – 12 are pending and under consideration, and claims 13 – 20 are withdrawn from consideration. No new matter is included in this amendment.

Request for entry of amendment under 37 CFR 1.116

In the amendment presented herein, independent claim 1 and dependent claim 2 are amended to be directed to subject matter that the Examiner has stated is allowable (see, for example, page 2 of the Office Action mailed December 16, 2008). Accordingly, Applicants respectfully request that the amendment be entered under 37 CFR 1.116.

Rejection of claims 1 and 4 – 12 under 35 U.S.C. §103(a) over Song

Claims 1 and 4-12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Song et al. (U.S. Patent No. 7,150,944) (hereinafter, "Song"). The Examiner alleged that Song teaches an electrolyte comprising a non-aqueous carbonate-based solvent and a monomer, specifically naming benzothiophene. For the following reasons, this rejection is respectfully traversed and reconsideration is requested.

Independent claim 1 is amended to provide that the additive compound of the aqueous electrolyte is a compound of Formula 1. Claim 2 is amended to provide that the additive compound is bisphenol A, which is a compound included in Formula A. The Examiner stated page 2 of the Office Action mailed December 16, 2008 that this subject matter is allowable. Therefore, the rejection should be withdrawn.

Rejection of claims 1 – 2, 4 – 12 and 21 under 35 U.S.C. §103(a) over Maekawa

Claims 1 - 2, 4 - 12, and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Maekawa (JP 2001-015172). The Examiner alleged that Maekawa teaches an electrolyte that comprises benzofuran or benzothiophene. For the following reasons, this rejection is respectfully traversed and reconsideration is requested.

Independent claim 1 is amended to provide that the additive compound of the aqueous electrolyte is a compound of Formula 1. Claim 2 is amended to provide that the additive compound is bisphenol A, which is a compound included in Formula A. The Examiner stated

page 2 of the Office Action mailed December 16, 2008 that this subject matter is allowable. Claim 21 is canceled, since amending claim 21 to recite only bisphenol A as a compound additive would make this claim a duplicate of claim 2. Therefore, the rejection should be withdrawn.

Request for rejoinder of claims 13 - 20

Claims 13 – 20 depend directly or indirectly from independent claim 1. Claims 13 - 16 further define the organic solvent recited in independent claim 1. Claims 17 – 20 recite an additional ingredient in the electrolyte. Clearly, therefore, if claim 1 is allowable, claims 13 – 20 are also allowable. Accordingly, it is respectfully requested that, upon the allowance of independent claim 1, claims 13 – 20 be rejoined and allowed.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: Feb 10, 2009

By: 
Ralph T. Webb
Registration No. 33,047

1400 Eye St., N.W.
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510